

# EXHIBIT

## YY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)  ECF Case
This document relates to:  <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN)  ECF Case

**DECLARATION OF JOHN DAVID YATES**

I, John David Yates, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached, as Exhibit "A" to this Declaration, is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was at the Pentagon in Washington, DC, when Flight 77 crashed into the building. At the time of these terrorist attacks, I worked at the Pentagon as a civilian employee with the job title of Security Manager. My office was located on the E Ring, Corridor 4, on the Second Floor of the Pentagon.

4. When Flight 77 struck the exterior of the Pentagon, a massive explosion and fire engulfed parts of the building. Due to these explosions, I received second and third degree burns over thirty five percent of my body as more fully described below. Despite my devastating injuries, I somehow was able to crawl through the fire, smoke, debris, and darkness, and make my escape from the destruction. My escape involved a long and desperate crawl to safety. Along the way, I

encountered friends and coworkers who had also been injured. As we crawled through the debris and destruction, some of the injured told me that “we can’t get out this way.” I replied, “Yes we can, just follow me.” At that point, someone grabbed the back of my right leg. Despite my significant injuries, I then continued to crawl in my efforts to escape the area and lead others to safety. Finally, after what seemed like an incredibly long period of crawling, I made it out of the building and I collapsed due to my injuries and my exhaustion. To this day, I am not sure exactly how many of my friends and coworkers followed me out of the burning building to safety.

5. As a result of these horrific terrorist attacks, I suffered the following specific injuries on September 11, 2001: full thickness second and third degree burns which covered thirty five percent of my total body surface. These burns included second degree burns to my face, ears, neck, upper arms, back, left leg, buttocks, and the top of my head. I also received third degree burns to my lower arms and hands. Due to the severity of my burns, I endured three incredibly painful surgeries which involved a debridement procedure and two skin grafting procedures. Additionally, I suffered from significant smoke inhalation, evidenced by the singed hairs in my nose.

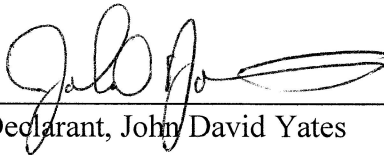
6. I sought medical attention for all of the above injuries. Attached herein as Exhibit “B” to this Declaration is a true and correct copy of my select relevant medical records related to the treatments that I received following the September 11, 2001 terrorist attacks.

7. I suffered, and continue to suffer, severe emotional distress because of the above terrorist attacks. Because of this horrific experience, I have been treated for anxiety and related conditions due to my horrific experiences on 9/11.

10. I previously pursued a claim (Claim Number 212-000444) through the September 11<sup>th</sup> Victim Compensation Fund specifically related to my physical injuries incurred on 9/11, and my claim was determined to be eligible for compensation.

I DECLARE, VERIFY AND STATE UNDER PENALTY OF PERJURY that the foregoing is true and correct.

DATED this 6th day of October 2020.



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Declarant, John David Yates

**EXHIBITS  
FILED  
UNDER SEAL  
(ECF No.  
5716)**